

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL DRAWBAUGH,

Plaintiff,

v.

JOHN H. WILSON and LARI ZEKA,

Defendants.

Case No. 13-12121

Honorable John Corbett O'Meara

**ORDER GRANTING
PLAINTIFF'S APPLICATION FOR APPOINTMENT OF COUNSEL**

This matter came before the court on plaintiff Michael Drawbaugh's Application for Appointment of Counsel. Plaintiff is an inmate in Pennsylvania's prison system whose *pro se* complaint alleges that he "suffered Great 'Damages' and Emotional distress" caused defendants John H. Wilson and Lari Zeka. The United States Attorney's Office has provided plaintiff Drawbaugh with information regarding Wilson's and Zeka's recent convictions for fraud, including practicing law without a license.

The appointment of counsel in a civil case is a privilege and not a constitutional right, one that should be allowed only in exceptional cases. Lopez v. Reyes, 692 F.2d 15, 17 (5th Cir. 1982). The United States Court of Appeals for the Sixth Circuit has advised that district courts, in considering an application for appointment of counsel in civil cases, "should at least consider plaintiff's financial resources, the efforts of plaintiff to obtain counsel, and whether plaintiff's claim appears to have any merit." Henry v. City of Detroit Manpower Dep't., 763 F.2d 757, 760 (6th Cir. 1985).

In reviewing plaintiff Drawbaugh's application, the court finds exceptional circumstances for the appointment of counsel in this matter: his financial resources are low; finding counsel while incarcerated is often difficult; and it appears as though his case may have some merit.

Accordingly, it is hereby **ORDERED** that Plaintiff's Application for Appointment of Counsel is **GRANTED**.

s/John Corbett O'Meara
United States District Judge

Date: June 5, 2014

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, June 5, 2014, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager